

REMARKS IN RESPONSE TO THE OFFICE ACTION:

In an Office Action dated June 10, 2004, the Examiner rejected claims 1–21. Support for the above amendments to claims 1 and 14 can be found at least in figures 2–3 and page 7, lines 12–14 of the original specification as filed. Applicants respectfully submit that the claims as amended are clearly distinct and patentable over the art of record, and therefore respectfully request that the Examiner withdraw the current rejections and allow the claims.

REJECTIONS UNDER 35 U.S.C. § 112.

Claims 1–21 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out Applicants' invention.

In response, Applicants have amended independent claims 1 and 14 to address the specific concerns indicated by the Examiner in the Office Action. Specifically, an internal panel has been added to the claims in addition to the panelboard.

Applicants submit that the above amendments obviate the rejection of the claims under 35 U.S.C. § 112, second paragraph and therefore respectfully requests that the Examiner reconsider and withdraw the rejection of the claims and indicate their allowance in the next paper from the Office.

REJECTIONS UNDER 35 U.S.C. § 102(b)

Claims 1, 4, 6–12, 14, 17, and 19–21 were rejected under 35 U.S.C. § 102(b) as allegedly anticipated by U.S. Patent No. 2,480,568 ("Garvin"). Applicants respectfully traverse this rejection because amended claims 1 and 14 contain limitations not disclosed, taught or suggested by Garvin. Specifically, claims 1 and 14 both require that the structural members form a portion of an exterior surface of the cabinet. Garvin does not disclose, teach, or suggest the use of structural members to form a portion of the exterior surface of the cabinet. Instead, Garvin discloses attaching removable cover plates onto a sectionalized framework composed of angle irons welded together. *See* Col. 2, ll. 4–7. Thus, in Garvin the cover plates (25, 27, 29, 30, 36, 37, and 38), and not the structural members (22, 23, 24), form the entire exterior surface of the

cabinet disclosed by Garvin. Applicants therefore respectfully request that the Examiner reconsider and withdraw the § 102(b) rejection of claims 1 and 14 over Garvin.

Claims 4 and 6–12 depend from claim 1 and necessarily incorporate each limitation therein. Therefore, claims 4 and 6–12 are allowable for at least the same reason as independent claim 1. Applicants therefore respectfully request that the Examiner also reconsider and withdraw the rejection of claims 4 and 6–12.

Claims 17 and 19–21 depend from claim 14 and necessarily incorporate each limitation therein. Therefore, claims 17 and 19–21 are allowable for at least the same reason as independent claim 14. Applicants therefore respectfully request that the Examiner also reconsider and withdraw the rejection of claims 17 and 19–21.

REJECTIONS UNDER 35 U.S.C. § 103(a)

Claims 5, 13, and 18 were rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Garvin in view of U.S. Patent No. 5,202,538 (“Skirpan”). Claims 5 and 13 depend from claim 1 and necessarily incorporate each limitation therein. Likewise, claim 18 depends from claim 14 and necessarily incorporates each limitation therein. As discussed above, Garvin does not disclose, teach, or suggest the use of structural members to form a portion of an exterior surface of the cabinet; and Skirpan does not disclose, teach, or suggest this limitation either. Therefore, claims 5, 13, and 18 are allowable for at least the same reasons as independent claims 1 and 14. Applicants therefore respectfully request that the Examiner reconsider and withdraw the § 103(a) rejection of claims 5, 13, and 18.

Claims 2 and 15 were rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Garvin in view of U.S. Patent No. 4,296,574 (“Stephens”). Claims 2 and 15 depend from independent claims 1 and 14 and incorporate each limitation therein. As discussed above, Garvin does not disclose, teach, or suggest the use of structural members to form a portion of an exterior surface of the cabinet; and Stephens does not disclose, teach, or suggest this limitation either. Therefore, claims 2 and 15 are allowable for at least the same reasons as independent claims 1 and 14. Applicants therefore respectfully request that the Examiner reconsider and withdraw the § 103(a) rejection of claims 2 and 15.

ALLOWABLE SUBJECT MATTER

The Examiner stated that claims 3 and 16 would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims. Applicants appreciate the Examiner's acknowledgement of allowable subject matter. However, the Examiner objected to claims 3 and 16 as being dependent upon the rejected base claims. Claim 3 ultimately depends from claim 1, and claim 16 ultimately depends from claim 14. Both claims 1 and 14 have been amended and are allowable for the reasons set forth above. Thus, claims 3 and 16 are also in condition for allowance as presented. Applicants therefore respectfully request that the Examiner reconsider and withdraw the objection to claims 3 and 16.

Applicants invite the Examiner to contact the undersigned attorney by telephone to discuss any remaining issues concerning the present application.

Respectfully submitted,

Date:

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By

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